

1 H. SINCLAIR KERR, JR. (61713)  
MICHAEL VON LOEWENFELDT (178665)  
2 ADRIAN J. SAWYER (203712)  
**KERR & WAGSTAFFE LLP**  
3 100 Spear Street, Suite 1800  
San Francisco, CA 94105-1528  
4 Telephone: (415) 371-8500  
Fax: (415) 371-0500

5 Attorneys for Plaintiff  
6 ELECTRONICS FOR IMAGING, INC.

7 GARY R. SELVIN (112030)|  
PATRICK M. QUIGLEY(148448)  
8 **SELVIN WRAITH HALMAN LLP**  
500 12th Street, Suite 340  
9 Oakland, CA 94607  
Telephone: (510) 874-1811  
10 Fax: (510) 465-8976

11 Attorneys for Defendant  
12 ATLANTIC MUTUAL INSURANCE COMPANY

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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17 ELECTRONICS FOR IMAGING, INC.

18 Plaintiff,

19 v.

20 ATLANTIC MUTUAL INSURANCE CO.,

21 Defendant.

Case No. C 06-3947 CRB

**STIPULATION AND ~~[PROPOSED]~~  
ORDER CHANGING DUE DATE FOR  
OPENING BRIEF ON ALLOCATION  
MOTION FROM APRIL 22, 2007 TO  
APRIL 27, 2007**

Hon. Charles R. Breyer

WHEREAS, at the case management conference on March 30, 2007, the Court set a May 18, 2007 hearing date for a motion to consider whether Atlantic Mutual, having breached its duty to defend EFI, may (1) attempt to allocate EFI's defense costs between covered and noncovered claims against EFI, and (2) challenge the reasonableness of EFI's defense costs;

WHEREAS, the parties agreed to brief the motion as a cross-motion, by exchanging opening briefs and opposition briefs, with no further briefing;

WHEREAS, the Court has ordered that the parties shall file opening briefs on the above motion on April 22, 2007, and file opposition briefs on May 11, 2007; and

WHEREAS, the parties desire to change the due date for opening briefs from April 22, 2007 to April 27, 2007, with no other changes to the schedule:

IT IS HEREBY STIPULATED THAT the briefing schedule for the motion to be heard May 18, 2007 is as follows:

1. The parties' opening briefs shall be due April 27, 2007; and
2. The parties' opposition briefs shall be due May 11, 2007.

DATED: April 9, 2007

**KERR & WAGSTAFFE LLP**

By /s/  
Michael von Loewenfeldt  
Adrian J. Sawyer

Attorneys for Plaintiff  
ELECTRONICS FOR IMAGING, INC.

DATED: April 9, 2007

**SELVIN WRAITH HALMAN LLP**

By                     /s/                      
Patrick M. Quigley

Attorneys for Defendant  
ATLANTIC MUTUAL INSURANCE COMPANY

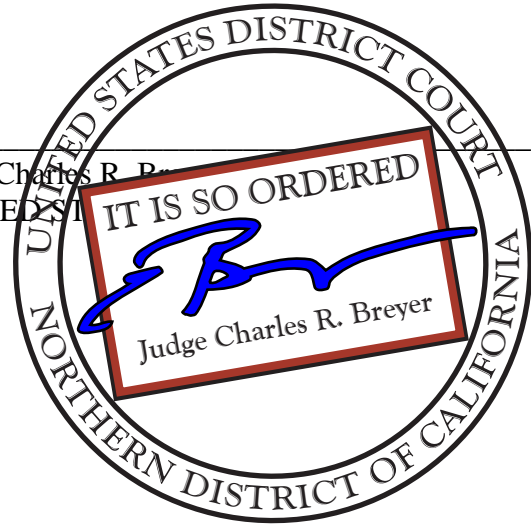
**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the briefing schedule for the motion to be heard May 18, 2007 is as follows:

1. Opening briefs shall be due April 27, 2007; and
2. Opposition briefs shall be due May 11, 2007.

DATED: April 11, 2007

Hon. Charles R. Breyer  
UNITED STATES DISTRICT COURT



1 I, Adrian J. Sawyer, am the ECF User whose ID and password are being used to file this  
2 Stipulation and [Proposed] Order Regarding Confidentiality. In compliance with General Order  
3 45, X.B., I hereby attest that Patrick M. Quigley, attorney for Defendant, Atlantic Mutual  
4 Insurance Co., has concurred in this filing.

5 DATED: April 9, 2007

6 **KERR & WAGSTAFFE LLP**

7  
8 By \_\_\_\_\_/s/\_\_\_\_\_  
ADRIAN J. SAWYER

9  
10 Attorneys for Plaintiff  
ELECTRONICS FOR IMAGING, INC.